

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/EP2004/014142

International filing date (day/month/year)
13.12.2004

Priority date (day/month/year)
17.12.2003

International Patent Classification (IPC) or both national classification and IPC
E05F15/16, H01H7/16, H01H17/18

Applicant
NICE SPA

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/014142

**Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1,8,9,10,11
	No: Claims	2,3,4,5,6,7
Inventive step (IS)	Yes: Claims	10
	No: Claims	1-9,11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2004/014142

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US 2003/121619 A1 (SZPUR ROMAN) 3 July 2003 (2003-07-03)
D2: DE 86 01 049 U1 (OTTO STERKEL GMBH & CO, 7980 RAVENSBURG, DE)
13 March 1986 (1986-03-13)
D3: GB-A-2 154 369 (JEFFREY GIBBON) 4 September 1985 (1985-09-04)
D4: DE 11 39 903 B (FA. HEINRICH KOPP; INH. THEODOR SIMONEIT) 22
November 1962 (1962-11-22)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claim 2 is not new in the sense of Article 33(2) PCT for the following reasons:

The document D1 discloses (figures 1-5) all the features of claim 2; see especially:
- an electric drive motor (12)
- an electric motor control unit (20)
- a pull-type control switch (26') controlled by a pulling string (26').

- 3.1 Although the second embodiment defined by claim 1 is not explicitly disclosed in D1, the use of a push-button switch instead of a pull-type switch is regarded as one of two possibilities from which the skilled man would select to combine a pulling string with an electric switch. Consequently, the subject-matter of independent claim 1 is regarded not inventive.
- 3.2 Furthermore, an electric switch with a mechanism adapted to convert the pulling of a string into a pressure upon a push-button switch as defined in claim 1 is generally known to the skilled person in the field of electric switches; see e.g. D3 or D4.
4. Dependent claims 3-8, 11 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in

respect of novelty and/or inventive step, since these features are known from the documents cited in the search report (see corresponding passages) or merely represent normal design options for the skilled person.

5. However the embodiment according to fig. 8 is not known from D1. Consequently, the combination of the features of claims 1,9 and 10 would have satisfied the requirements of Article 33(1) PCT.
